



STATE OF MAINE
JOHN ELIAS BALDACCI
GOVERNOR

DEPARTMENT OF CONSERVATION
LAND USE REGULATION COMMISSION
LAKE VIEW DRIVE
P.O. BOX 1107
GREENVILLE, MAINE 04441

PATRICK
MCGOWAN
COMMISSIONER

PERMIT

DEVELOPMENT PERMIT DP 4702

The staff of the Maine Land Use Regulation Commission (hereafter, the Commission), after reviewing the application and supporting documents submitted by Daniel J. and Karen L. Donahue for Development Permit DP 4702, finds the following facts:

1. Applicant: Daniel J. and Karen L. Donahue
91 Linscott Road
Jefferson, ME 04348
2. Date of Completed Application: October 14, 2004
3. Location of Proposal: Concord Twp, Somerset County
Taxation Lots #53 and #60.5 on Plan 01
4. Zoning: (M-GN) General Management Subdistrict
5. Lot Size: 53 Acres (owned)
6. Principal Building: Existing Seasonal Camp (24 ft. by 28 ft.)
Proposed Commercial Sporting Camp Lodge (40 ft. by 112 ft.)
7. Accessory Structures: Existing Storage Shed (10 ft. by 12 ft.)
Existing Wood Shed (8 ft. by 12 ft.)
Proposed Garage (26 ft. by 32 ft.)
Proposed Bunkhouse (16 ft. by 30 ft.)
8. Soil Type: 47C2 – Medium development potential rating class, per the Natural Resources Conservation Service's soil potential ratings for low density development.

Proposal

9. On Lot #53, the applicants propose to construct a 40 foot by 112 foot sporting camp lodge containing four guest rooms, each with private bath; a dining/communal area; a commercial kitchen; and an owner's apartment with one bedroom and a private bath. The applicants also propose to construct a 26 foot by 32 foot detached garage. All proposed structures would be set back at least 75 feet from Bluff Road and at least 15 feet from property boundary lines. The proposed sporting camp lodge would be served by a proposed combined sewage disposal system.

The applicants also propose to construct a 16 foot by 145 foot driveway to access the sporting camp lodge and garage. The driveway would be set back at least 15 feet from the nearest side property boundary line.

10. On Lot #60.5, the applicants propose to construct a 16 foot by 30 foot bunkhouse, which will contain plumbing. The proposed bunkhouse would be set back at least 75 feet from Bluff Road and at least 15 feet from property boundary lines. It would be served by the existing combined sewage disposal system, which was designed for both the existing seasonal camp and the proposed bunkhouse. The proposed bunkhouse and the existing seasonal camp would be used to occasionally house overflow guests from the commercial sporting camp.

Background Information

11. Building Permit BP 5640, issued to Leroy L. Cates and Leroy J. Cates in October of 1986, authorized the construction of a seasonal camp, a storage shed, and a wood shed on Lot #60.5. All structures have been completed within the terms of the permit.
12. Amendment A to Building Permit BP 5640, issued to Daniel J. Donahue in September of 2000, noted the change in ownership of the property.
13. The proposal complies with Sub-Chapter III of the Commission's Land Use Districts and Standards.
14. The facts are otherwise as represented in Development Permit application DP 4702 and supporting documents.

Based upon the above Findings, the staff concludes that if carried out in compliance with the Conditions below, the proposal will meet the Criteria for Approval, section 685-B(4) of the Commission's Statutes, 12 M.R.S.A.

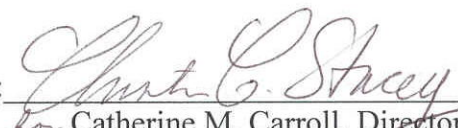
Therefore, the staff approves the application of Daniel J. and Karen L. Donahue with the following conditions:

1. Construction activities authorized in this permit must be substantially started within 2 years of the effective date of this permit and substantially completed within 5 years of the effective date of this permit. If such construction activities are not started and completed within this time limitation, this permit shall lapse and no activities shall then occur unless and until a new permit has been granted by the Commission.
2. All authorized structures must be set back a minimum of 75 feet from Bluff Road and 15 feet from other property boundary lines.
3. Clearing and construction activities, except those necessary to establish sedimentation control devices, shall not begin until all erosion and sedimentation control devices (including ditches, culverts, sediment traps, settling basins, hay bales, silt fences, etc.) have been installed and stabilized. Once in place, such devices shall be maintained to ensure proper functioning. All temporary sedimentation and erosion control devices shall be removed after construction activity has ceased and a cover of healthy vegetation has established itself or other appropriate permanent control measures have been effectively implemented. Permanent soil stabilization shall be completed within one week of inactivity or completion of construction.
4. Once construction is complete, the permittees shall submit a self-certification form, notifying the Commission that all conditions of approval of this permit have been met. The permittees shall submit all information requested by the Commission demonstrating compliance with the terms of this permit.

5. The scenic character and healthful condition of the area covered under this permit must be maintained. The area must be kept free of litter, trash, junk cars and other vehicles, and any other materials that may constitute a hazardous or nuisance condition.
6. All exterior lighting must be located and installed so as to illuminate only the target area to the extent possible. Exterior lighting must not produce a strong, dazzling light or reflection beyond lot lines onto neighboring properties, water bodies, or roadway so as to impair driver vision or to create nuisance conditions.
7. The driveway must be located and constructed so that (a) it will not erode or create any undue restriction or disruption of existing surface water drainage ways and (b) it will divert runoff to a vegetated buffer strip so as to prevent it from directly entering a water body, mapped P-WL1 wetland or roadway.
8. Provision shall be made for vehicular access to and within the project premises in such a manner as to avoid traffic congestion and safeguard against hazards to traffic and pedestrians along existing roadways within the project area. Development shall be located and designed so that the roadways and intersections in the vicinity of the development will be able to safely and efficiently handle the traffic attributable to the development in its fully operational stage.
9. The lot may not be further divided without the prior review and approval of the Commission. In addition, certain restrictions, including subdivision, setback and minimum lot size requirements, and activities on the original parcel from which the lot was first divided, may limit or prohibit a redivision of the lot in the future. The permittees are hereby advised to consult applicable land use laws and rules and with the Commission prior to any future redivision of the lot.

This permit is approved upon the proposal as set forth in the application and supporting documents, except as modified in the above stated conditions, and remains valid only if the permittees comply with all of these conditions. Any variation from the application or the conditions of approval is subject to prior Commission review and approval. Any variation undertaken without Commission approval constitutes a violation of Land Use Regulation Commission law. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

DONE AND DATED AT GREENVILLE, MAINE, THIS 2nd DAY OF NOVEMBER, 2004.

By: 
for Catherine M. Carroll, Director